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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOHN ARMSTRONG, et al.,

Plaintiff,

v.

EDMUND G. BROWN, JR., et al.,

Defendant.

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FIRST QUARTER OF 2016

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on April 26, 2016 Plaintiffs served on Defendants
5 their First Quarterly Statement for 2016 by overnight delivery. The parties completed their
6 meet-and-confer process on June 10, 2016 as to the fees and costs incurred on all matters.

7 As a result of the June 10, 2016 agreement, the parties agree to the following:

8 The parties agree to the payment of \$1,310,790.86 to resolve all fees and costs
9 incurred during the First Quarter of 2016, for monitoring and/or litigation activities in the
10 California Department of Corrections of Rehabilitation Division of Adult Operations and
11 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
12 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
13 the parties to settle these claims.

14 The parties agree to the payment of \$48,799.84 to resolve all fees and costs incurred
15 during the First Quarter of 2016, for monitoring and/or litigation activities in the Board of
16 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting
17 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to
18 settle these claims.

19 The parties agree to the payment of \$194,012.04 to resolve all fees and costs
20 incurred during the First Quarter of 2016, for monitoring and/or litigation activities in the
21 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
22 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
23 agreed to by the parties to settle these claims.

24 The parties agree to the payment of \$13,711.32 to resolve all fees and costs incurred
25 during the First Quarter of 2016, for fees on fees. Attached hereto as **Exhibit D** are charts
26 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
27 parties to settle these claims.

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1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from May 27, 2016, accruing at the rate provided by 28 U.S.C. § 1961.
4

5 DATED: 6/15/2016

6
7 
8 THE HONORABLE CLAUDIA WILKEN
9 UNITED STATES DISTRICT JUDGE

10 APPROVED AS TO FORM:
11

12 DATED: June 14, 2016

/s/ Sharon A. Garske

Sharon A. Garske
Deputy Attorney General
Attorney for Defendants

15 DATED: June 14, 2016

/s/ Gay C. Grunfeld

Gay C. Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Brown
First Quarterly Statement of 2016
January 1, 2016 through March 31, 2016

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,274,050.70	\$36,740.16
	TOTAL:	\$1,310,790.86

Armstrong v. Brown

First Quarterly Statement of 2016
January 1, 2016 through March 31, 2016
Matter: CDCR/AOAP Monitoring/Merits

Monitoring (581-3)

	Actual Hours	Claimed Hours	2016 Rates	Total Claimed Fees	Fees Now Owing Based On Negotiated Compromise
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	5.70	5.70	\$900	\$5,130.00	\$4,873.50
Gay C. Grunfeld (GCG)	46.20	46.20	\$790	\$36,498.00	\$34,673.10
Jane Kahn (JEK)	0.20	0.00	\$700	\$0.00	\$0.00
Thomas Nolan (TN)	284.90	278.60	\$610	\$169,946.00	\$161,448.70
Lisa Ells (LAE)	3.80	0.00	\$600	\$0.00	\$0.00
Blake Thompson (BT)	77.70	76.10	\$565	\$42,996.50	\$40,846.68
Michael Freedman (MLF)	162.20	160.00	\$545	\$87,200.00	\$82,840.00
Ben Bien-Kahn (BBK)	38.90	32.10	\$490	\$15,729.00	\$14,942.55
Krista Stone-Manista (KSM)	61.90	61.20	\$490	\$29,988.00	\$28,488.60
Christopher Hu (CDH)	14.50	12.40	\$410	\$5,084.00	\$4,829.80
Karen Stilber (KES)	60.00	56.70	\$300	\$17,010.00	\$16,159.50
Linda Woo (LHW)	31.00	28.40	\$300	\$8,520.00	\$8,094.00
F. Gail LaPurja (FGL)	44.00	38.60	\$275	\$10,615.00	\$10,084.25
Fely Villadelgado (FFV)	0.20	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	28.30	25.90	\$275	\$7,122.50	\$6,766.38
Lauren Vandemortel (LWV)	22.90	19.30	\$260	\$5,018.00	\$4,767.10
Katherine Hamilton (KCH)	308.60	263.80	\$230	\$60,674.00	\$57,640.30
Charlotte Landes (CJL)	64.30	55.90	\$230	\$12,857.00	\$12,214.15
Kelly McGraw (KAM)	305.00	273.50	\$230	\$62,905.00	\$59,759.75
Sasha Beder-Schenker (SBS)	12.70	0.00	\$230	\$0.00	\$0.00
Total Hours:	1,573.00	1,434.40			
Total RBGG Fees:				\$577,293.00	\$548,428.35

PRISON LAW OFFICE

Donald Specter (DS)	74.50	74.50	\$900	\$67,050.00	\$63,697.50
Steve Fama (SF)	1.70	1.70	\$850	\$1,445.00	\$1,372.75
Rebekah Evenson (RE)	255.00	255.00	\$700	\$178,500.00	\$169,575.00
Penny Godbold (PG)	172.70	172.70	\$650	\$112,255.00	\$106,642.25
Corene Kendrick (CK)	128.10	128.10	\$650	\$83,265.00	\$79,101.75
Kelly Knapp (KK)	91.60	91.60	\$565	\$51,754.00	\$49,166.30
Gwen Wu (GW)	83.80	83.80	\$375	\$31,425.00	\$29,853.75
Amber Norris (AN)	216.60	216.60	\$310	\$67,146.00	\$63,788.70
Anjuli Branz (AB)	211.70	211.70	\$250	\$52,925.00	\$50,278.75
Laura Graham (LG)	74.50	74.50	\$250	\$18,625.00	\$17,693.75
Isaac Da ke (ID)	46.10	46.10	\$250	\$11,525.00	\$10,948.75
Megan Lynch (ML)	164.00	164.00	\$300	\$49,200.00	\$46,740.00
Nora Searle (NS)	53.80	53.80	\$250	\$13,450.00	\$12,777.50
Liliana Paratore (LP)	39.70	39.70	\$250	\$9,925.00	\$9,428.75
Alex Kennedy (AK)	59.50	59.50	\$250	\$14,875.00	\$14,131.25
Total Hours:	1,673.30	1,673.30			
Total PLO Fees:				\$763,365.00	\$725,196.75

**DISABILITY RIGHTS EDUCATION AND
DEFENSE FUND**

Hongyu Min (HM)	2.80	2.80	\$160	\$448.00	\$425.60
Total Hours:	2.80	2.80			
Total DREDF Fees:				\$448.00	\$425.60

**TOTAL UNDISPUTED CDCR/AOAP
MONITORING FEES:**

\$1,341,106.00 **\$1,274,050.70**

Armstrong v. Brown

First Quarterly Statement of 2016
January 1, 2016 through March 31, 2016

Costs***Matter: CDCR/AOAP Merits/Monitoring***

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>		
Photocopying (In house)	\$2,273.60	\$2,159.92
Photocopying/printing (Outside)	\$2,205.81	\$2,095.52
Translation services	\$125.00	\$118.75
Online Research - PACER, Westlaw	\$213.45	\$202.78
Postage & Delivery	\$502.44	\$477.32
Travel - Mileage, Tolls, Food	\$11,950.93	\$11,353.38
Telephone	\$11.15	\$10.59
Total RBGG Costs:	\$17,282.38	\$16,418.26
 <u>Prison Law Office</u>		
Photocopying (In house)	\$2,608.20	\$2,477.79
Translation services	\$729.24	\$692.78
Travel - Mileage, Tolls, Food	\$16,388.00	\$15,568.60
Postage & Delivery	\$1,449.45	\$1,376.98
Total PLO Costs:	\$21,174.89	\$20,116.15
 <u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$168.80	\$160.36
Postage & Delivery	\$47.78	\$45.39
Total DREDF Costs:	\$216.58	\$205.75
 TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:	\$38,673.85	\$36,740.16

EXHIBIT B

Armstrong v. Brown

First Quarterly Statement of 2016

January 1, 2016 through March 31, 2016

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
BPH	\$48,254.78	\$545.06
	TOTAL:	\$48,799.84

Armstrong v. Brown

First Quarterly Statement of 2016
January 1, 2016 through March 31, 2016

Matter: BPH

BPH (581-4)**BPH MONITORING (581-4)****ROSEN, BIEN, GALVAN & GRUNFELD**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
Gay C. Grunfeld (GCG)	0.10	0.10	\$790	\$79.00	\$75.05
Thomas Nolan (TN)	0.40	0.00	\$610	\$0.00	\$0.00
Blake Thompson (BT)	21.20	19.90	\$565	\$11,243.50	\$10,681.33
Margot K. Mendelson (MKM)	18.80	18.30	\$490	\$8,967.00	\$8,518.65
Katherine Hamilton (KCH)	7.40	0.00	\$230	\$0.00	\$0.00
Total Hours:	47.90	38.30			
Total RBGG Fees:				\$20,289.50	\$19,275.03

PRISON LAW OFFICE

Sara Norman (SN)	26.30	26.30	\$750	\$19,725.00	\$18,738.75
Rana Anabtawi (RA)	22.00	22.00	\$490	\$10,780.00	\$10,241.00
Total Hours:	26.30	26.30			
Total PLO Fees:				\$30,505.00	\$28,979.75

**TOTAL UNDISPUTED FEES FOR
BPH WORK:**

\$50,794.50 \$48,254.78

Armstrong v. Brown

First Quarterly Statement of 2016

January 1, 2016 through March 31, 2016

Costs***Matter: BPH***

	Total <u>Claimed Costs</u>	Costs Now Owing Based On <u>Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>		
Photocopying (In house)	\$182.20	\$173.09
Travel - Mileage, Tolls, Food	\$120.19	\$114.18
Total RBGG Costs:	\$302.39	\$287.27
 <u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$271.36	\$257.79
Total PLO Costs:	\$271.36	\$257.79
 TOTAL UNDISPUTED BPH COSTS:	\$573.75	\$545.06

EXHIBIT C

Armstrong v. Brown

First Quarterly Statement of 2016

January 1, 2016 through March 31, 2016

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$189,999.53	\$4,012.52
	TOTAL:	\$194,012.04

Armstrong v. Brown

First Quarterly Statement of 2016
January 1, 2016 through March 31, 2016

Matter: DAPO Monitoring**DAPO Monitoring (581-9)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.30	0.00	\$900	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	7.50	7.50	\$790	\$5,925.00	\$5,628.75
Ernest Galvan (EG)	0.60	0.00	\$740	\$0.00	\$0.00
Aaron Fischer (AJF)	63.50	63.30	\$575	\$36,397.50	\$34,577.63
Blake Thompson (BT)	22.20	21.70	\$565	\$12,260.50	\$11,647.48
Michael Freedman (MLF)	2.30	0.00	\$545	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	76.40	71.40	\$490	\$34,986.00	\$33,236.70
Margot Mendelson (MKM)	42.70	40.80	\$490	\$19,992.00	\$18,992.40
Krista Stone-Manista (KSM)	0.30	0.00	\$490	\$0.00	\$0.00
Jenny Yelin (JSY)	11.20	10.80	\$475	\$5,130.00	\$4,873.50
Christopher Hu (CDH)	69.90	68.80	\$410	\$28,208.00	\$26,797.60
Karen Stilber (KES)	0.90	0.00	\$300	\$0.00	\$0.00
F. Gail LaPurja (FGL)	31.80	26.90	\$275	\$7,397.50	\$7,027.63
Kelly McGraw (KAM)	42.60	39.00	\$230	\$8,970.00	\$8,521.50
Katherine Hamilton (KCH)	0.70	0.00	\$230	\$0.00	\$0.00
Nathalie Welch (NCW)	217.50	177.10	\$230	\$40,733.00	\$38,696.35
Total Hours:	590.40	527.30			
Total RBGG Fees:				\$199,999.50	\$189,999.53
TOTAL UNDISPUTED FOR DAPO MONITORING WORK:				\$199,999.50	\$189,999.53

Armstrong v. Brown

First Quarterly Statement of 2016

January 1, 2016 through March 31, 2016

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
Photocopying (in-house)	\$1,041.40	\$989.33
Photocopying (outside)	\$357.69	\$339.81
Interpeting Services	\$957.96	\$910.06
Telephone	\$8.40	\$7.98
Travel - Mileage, Tolls, Food	\$1,858.25	\$1,765.34
Total RBGG Costs:	\$4,223.70	\$4,012.52
TOTAL UNDISPUTED DAPO MONITORING COSTS:	\$4,223.70	\$4,012.52

EXHIBIT D

Armstrong v. Brown

First Quarterly Statement of 2016

January 1, 2016 through March 31, 2016

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$13,483.35	\$227.97
TOTAL:		\$13,711.32

Armstrong v. Brown

First Quarterly Statement of 2016
January 1, 2016 through March 31, 2016
Matter: All Matters Fees Work

Fees (581-2)

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	0.90	0.80	\$790	\$632.00	\$600.40
Lisa Ellis (LAE)	0.10	0.00	\$600	\$0.00	\$0.00
Aaron Fischer (AJF)	1.00	0.50	\$575	\$287.50	\$273.13
Blake Thompson (BT)	9.90	9.10	\$565	\$5,141.50	\$4,884.43
Benjamin Bien-Kahn (BBK)	0.20	0.00	\$490	\$0.00	\$0.00
F. Gail LaPurja (FGL)	0.20	0.00	\$275	\$0.00	\$0.00
Lauren Vandemortel (LWV)	20.60	20.10	\$260	\$5,226.00	\$4,964.70
Katherine Hamilton (KCH)	0.40	0.00	\$230	\$0.00	\$0.00
Total Hours:	33.30	30.50			
Total RBGG Fees:				\$11,287.00	\$10,722.65
<u>PRISON LAW OFFICE</u>					
Rebekah Evenson (RE)	2.1	2.1	\$700	\$1,470.00	\$1,396.50
Ashley Kirby (AK)	5.6	5.6	\$200	\$1,120.00	\$1,064.00
Total Hours:	7.70	7.70			
Total PLO Fees:				\$2,590.00	\$2,460.50
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.40	0.40	\$790	\$316.00	\$300.20
Total Hours:	0.40	0.40			
Total DREDF Fees:				\$316.00	\$300.20
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:				\$14,193.00	\$13,483.35

Armstrong v. Brown

First Quarterly Statement of 2016

January 1, 2016 through March 31, 2016

Costs***Matter: Fees Work in All Matters***

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>		
Photocopying and Printing (in-house)	\$207.20	\$196.84
Postage & Delivery	\$19.57	\$18.59
Total RBGG Costs:	\$226.77	\$215.43
 <u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$13.20	\$12.54
Total DREDF Costs:	\$13.20	\$12.54
 TOTAL UNDISPUTED FEES WORK COSTS :	\$239.97	\$227.97